

IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CODON DEVICES, INC., DUKE UNIVERSITY,)
and the MASSACHUSETTS INSTITUTE OF)
TECHNOLOGY,)
Plaintiff,) C.A. No.: 07-148-***
v.)
BLUE HERON BIOTECHNOLOGY, INC.,)
Defendant.)

DEFENDANT'S FRCP RULE 7.1 STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1, Defendant Blue Heron Biotechnology, Inc. makes the following corporate disclosure:

Defendant Blue Heron Biotechnology, Inc. has no parent company.

One public company, Invitrogen Corporation, owns 10% or more of the outstanding shares of Defendant Blue Heron Biotechnology, Inc. No other public company owns 10% or more of Defendant Blue Heron Biotechnology, Inc.'s stock.

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Dated: May 3, 2007
792549 / 31389

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FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, Richard L. Horwitz, hereby certify that on May 3, 2007, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

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